

**FLATHEAD COUNTY PLANNING BOARD
MINUTES OF THE MEETING
OCTOBER 12, 2016**

**CALL TO
ORDER
6:00 pm**

A meeting of the Flathead County Planning Board was called to order at approximately 6:00 p.m. at the South Campus Building, 40 11th Street W, Ste. 200, Kalispell, Montana. Board members present were Marie Hickey-AuClaire, Ron Schlegel, Dean Sirucek, Jim Heim, Kevin Lake, and Jeff Larsen. Mike Horn and Greg Stevens had an excused absence. Mark Mussman, Rachel Ezell and Erik Mack represented the Flathead County Planning & Zoning Office.

There were 19 people in the audience.

**APPROVAL OF
MEETING
MINUTES
6:01 pm**

Schlegel made a motion, seconded by Sirucek to approve the September 14, 2016 meeting minutes.

**BOARD
DISCUSSION
6:01 pm**

None

**ASK THE
QUESTION
6:01 PM**

Sirucek asked the question

**ROLL CALL TO
APPROVE
MEETING
MINUTES
6:01 pm**

On a roll call vote the motion passed unanimously.

**PUBLIC
COMMENT
(not related to
agenda items)
6:02 pm**

Erica Wirtala-Northwest Montana Association of Realtors-110 Cooperative Way, Kalispell-talked about short term rentals. There are very few places in Flathead County where short term rentals are allowed. The association of realtors would like to see the zoning regulations updated to allow short term rentals in more areas. She stated Kalispell was working on a plan to allow more short term rentals, Whitefish allows short term rentals in certain areas, and Columbia Falls also has short term rentals. Short term rentals are the new way to travel. She asked that the Board think about adopting new regulations regarding short term rentals.

LANE ROSS
(FLP-16-62)
6:08 pm

A request by Lane Ross for a lakeshore construction permit to utilize mechanized equipment for aquatic weed removal on Flathead Lake within the harbor commonly known as North Shore Harbor. The mechanized removal of aquatic weeds within the waters of Flathead Lake has been determined by the Planning Director to create a significant impact requiring Planning Board review and recommendation to the Flathead County Commissioners, per Section 3.2(C)(b) of the Flathead County Lake and Lakeshore Protection Regulations.

STAFF REPORT
6:08 pm

Ezell reviewed updated Staff Report FLP-16-62 for the Board.

Ezell noted that the report stated the weeds would be taken to the Bigfork landfill; however, there is not a Bigfork landfill. The weeds would be disposed of at the Flathead County landfill or on private property behind Glacier Bank in Bigfork.

BOARD
QUESTIONS
6:08 pm

Schlegel asked why it was recommended that the county landfill be used as opposed to private property.

Ezell stated that she thought it was a community decay issue.

APPLICANT
PRESENTATION
6:09 pm

Lane Ross-315 Meadow Hills Drive, Kalispell explained why disposal at the Flathead County landfill was not possible from a business perspective and reiterated that he had received confirmation to dispose of the weeds from the land owner of the dump site. He stated he had an agreement with Fish and Wildlife to inspect his equipment for noxious weeds. Ross also noted that the issue of weed mowing is a growing concern in the County and he expects business to increase over time. He would like to see the process amended so that he doesn't have to come in for a new permit with each activity. He also noted that it is questionable whether the permit is needed.

Carroll Blend-112 Parkway Ave, Bigfork spoke about the growing problem with the weeds in the canal to boaters and stated denying the permit would do more damage than good. Currently the weeds are being cut by boat propellers as they enter and exit the canal. He addressed a report about Curly leaf pondweed.

BOARD
QUESTIONS
6:20 pm

Sirucek asked if any alternatives to cutting were considered, such as mats or herbicides.

Blend noted that they had considered other alternatives but the

most effective solution currently would be to cut the weeds with the harvester. He stated the mats were very costly and he was not sure herbicides could be used in the canal.

Ross spoke about the cost of the permit and the need to have this project done on a yearly basis. He wanted an alternative to paying the permit fee and extension fee every year.

**AGENCY
COMMENTS
6:39pm**

None

**PUBLIC
COMMENT
6:39 pm**

None

**APPLICANT
REBUTTAL
6:39 pm**

None

**BOARD
QUESTIONS
6:40 pm**

None

**STAFF
REBUTTAL
6:40 pm**

Mack noted that the permit was not renewable and it would be the full fee every year.

**BOARD
DISCUSSION
6:40 pm**

The Board and applicant discussed at length whether the harvester was mechanized equipment.

Sirucek discussed the issue of Curly leaf pondweed, and aquatic invasive species found in the North Shore Harbor stating that it was likely being spread by boats when they chop through it in the harbor or canal. He was also concerned with where the weeds were going to be dumped.

Schlegel asked for clarification on the need for a permit for this project.

Mussman read the definition of motorized equipment from the regulations. His concern was with the spread of invasive species with this machine.

**MAIN MOTION
TO ADOPT
F.O.F.
(FLP-16-62)
7:02 pm**

Sirucek made a motion seconded by Larsen to adopt staff report FLP-16-62 as findings-of-fact.

**BOARD
DISCUSSION
7:03 pm**

The Board discussed whether this project met several of the definitions in the Lake and Lakeshore Regulations with regard to building and mechanized equipment.

**SECONDARY
MOTION TO
AMEND F.O.F.
7:09 pm**

Sirucek made a motion seconded by Larsen to amend the Findings of Fact to include a Finding #8 to read as follows:
"The harvested materials should be moved to a private location that is secure."

**ASK THE
QUESTION
7:11 pm**

Sirucek asked the question.

**ROLL CALL TO
AMEND F.O.F.
(FLP-16-62)
7:12 pm**

On a roll call vote the motion passed unanimously.

**BOARD
DISCUSSION
7:14 pm**

None

**ASKED THE
QUESTION
7:14 pm**

Sirucek asked the question.

**ROLL CALL TO
ADOPT F.O.F.
AS AMENDED
7:14 pm**

On a roll call vote the motion passed unanimously.

**MAIN MOTION
TO
RECOMMEND
APPROVAL
(FLP-16-62)
7:14 pm**

Schlegel made a motion seconded by Heim to adopt Staff Report FLP-16-62 and recommend approval to the Board of County Commissioners.

**BOARD
DISCUSSION
7:15 pm**

The Board discussed the need for this kind of project.

**ASK THE
QUESTION
7:15 pm**

Larsen asked the question.

**ROLL CALL TO
RECOMMEND
APPROVAL
(FLP-16-62)
7:16 pm**

On a roll call vote the motion passed unanimously.

The Board took a 5 minute recess.

**JOHNSON
FAMILY TRUST
(FZC-16-08)
7:24 pm**

A zone change request in the Bigfork Zoning District by Johnson Family Trust. The proposal would change the zoning on 53.947 acres of a parcel containing 93.94 acres from SAG-10 (*Suburban Agricultural*) to SAG-5 (*Suburban Agricultural*). The subject property is located on Ramsfield Road.

**STAFF REPORT
7:24 pm**

Mack reviewed Staff Report FZC-16-08 for the Board.

**BOARD
QUESTIONS
7:26 pm**

None

**APPLICANT
PRESENTATION
7:27 pm**

Eric Mulcahy-Sands Surveying-2 Village Loop-was representing the applicant. The applicant is doing this as an estate planning issue and has no plans to subdivide.

**BOARD
QUESTIONS
7:31pm**

None

**AGENCY
COMMENTS
7:31 pm**

None

**PUBLIC
COMMENT
7:31 pm**

None

**APPLICANT
REBUTTAL**

None

7:31 pm

**BOARD
QUESTIONS**

None

7:31 pm

**STAFF
REBUTTAL**

None

7:31pm

**BOARD
QUESTIONS**

None

7:31pm

**MAIN MOTION
TO ADOPT
F.O.F.**

Schlegel made a motion seconded by Larsen to adopt Staff Report FZC-16-08 as Finding of Fact.

(FZC-16-08)

7:31 pm

**BOARD
DISCUSSION**

None

7:31 pm

**ASK THE
QUESTION**

Sirucek asked the question.

7:13 pm

**ROLL CALL TO
ADOPT F.O.F.**

On a roll call vote the motion passed unanimously.

(FZC-16-08)

7:31pm

**MAIN MOTION
TO
RECOMMEND
APPROVAL**

Heim made a motion seconded by Larsen to adopt Staff Report FZC-16-08 and recommend approval to the Board of County Commissioners.

(FZC-16-08)

7:32pm

**BOARD
DISCUSSION**

None

7:32 pm

**ASK THE
QUESTION
7:32 pm**

Larsen asked the question.

**ROLL CALL TO
RECOMMEND
APPROVAL
7:32 pm**

On a roll call vote the motion passed unanimously.

**ROUND STONE
INDUSTRIAL
PARK
(FPP-16-05)
7:33 pm**

A request from Mike & Sharon Tikka for preliminary plat approval of Round Stone Industrial Park, a proposal to create 4 lots intended for industrial use on 21.02 acres and located off Cemetery Road. The proposed subdivision lots would be served by on-site wells and septic. The property is currently zoned SAG-10 (*Suburban Agricultural*) but the applicants are in the process of a zone change to I-1 (*Light Industrial*).

**STAFF REPORT
7:34 pm**

Mack reviewed the Staff Report FPP-16-05 for the Board.

**BOARD
QUESTIONS
7:36 pm**

None

**APPLICANT
PRESENTATION
7:36 pm**

Bob Erickson-Jackola Engineering-2250 Highway 93 S-stated that the 150 foot vegetated buffer plus an additional 50 foot no build zone requested by Fish and Wildlife would make two (2) of the lots unbuildable. The applicant is proposing a 20-foot vegetative buffer and a 50 foot no build zone which should suffice to protect the wildlife.

**BOARD
QUESTIONS
7:41 pm**

None

**AGENCY
COMMENTS
7:41 pm**

None

**PUBLIC
COMMENT
7:41 pm**

None

APPLICANT REBUTTAL 7:41 pm	None
BOARD QUESTIONS 7:41pm	None
STAFF REBUTTAL 7:42 pm	None
BOARD QUESTIONS 7:42 pm	None
MAIN MOTION TO ADOPT F.O.F. (FPP-16-05) 7:43 pm	Schlegel made a motion seconded by Sirucek to adopt Staff Report FPP-16-05 as Findings of Fact.
BOARD DISCUSSION 7:43pm	None
ASK THE QUESTION 7:44 pm	Sirucek asked the question.
ROLL CALL TO ADOPT F.O.F. (FPP-16-05) 7:44 pm	On a roll call vote the motion passed unanimously.
MAIN MOTION TO RECOMMEND APPROVAL (FPP-16-05) 7:44 pm	Larsen made a motion seconded by Sirucek and Lake to adopt Staff Report FPP-16-05 and recommend approval to the Board of County Commissioners.
BOARD DISCUSSION 7:44 PM	Schlegel stated this was an excellent spot for an industrial park.

**ASK THE
QUESTION**
7:44 pm

Larsen asked the question.

**ROLL CALL TO
RECOMMEND
APPROVAL**
7:44 pm

On a roll call vote the motion passed unanimously.

OLD BUSINESS
7:46 pm

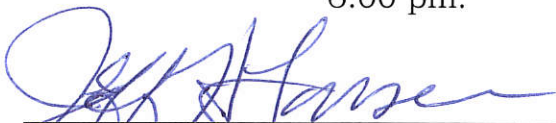
Mussman handed out the final strategic work plan.

NEW BUSINESS
7:46 pm

Sirucek talked about the standard language in the responses from Fish, Wildlife and Parks. The Board discussed this at length.

ADJOURNMENT
8:02 pm

Meeting was adjourned at approximately 8:02 pm on a motion by Schlegel. The next meeting will be held on November 9, 2016 at 6:00 pm.


Marie Hickey-AuClaire, Chairman


Danene Thornton, Recording Secretary

APPROVED AS SUBMITTED/CORRECTED: 11/9/16